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BROOKDALE SENIOR LIVING INC. and

BROOKDALE SENIOR LIVING COMMUNITIES, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STACIA STINER, et al.,

Plaintiffs,

v.

BROOKDALE SENIOR LIVING INC., et al.

Defendants.

) Case No. 4:17-CV-03962-HSG

)

) **STIPULATION AND ORDER**
) **ENLARGING THE PAGE LIMIT**
) **FOR DEFENDANTS' OPPOSITION**
) **TO PLAINTIFFS' MOTION FOR**
) **LEAVE TO FILE MOTION FOR**
) **CERTIFICATION OF SUBCLASSES**

)

)

STIP RE ORDER ENLARGING PAGE LIMIT ON DEFENDANTS' OPPOSITION TO MTN FOR LEAVE

CASE No. 4:17-cv-03962-HSG

1 WHEREAS, on October 10, 2023, Plaintiffs filed an Administrative Motion for an Order
2 Enlarging the Page Limit for Plaintiffs' Motion for Leave to File a Motion for Certification of
3 Subclasses seeking administrative relief permitting Plaintiffs to exceed the 25-page limit of Local
4 Rule 7-2 for Plaintiffs' Motion for Leave to File a Motion for Certification of Subclasses (the
5 "Motion for Leave") and allowing them to file a Motion for Leave not to exceed 35 pages
6 ("Plaintiffs' Administrative Motion" – ECF No. 643);

7 WHEREAS, on October 18, 2023, the Court granted Plaintiffs' Administrative Motion,
8 finding that good cause existed for enlarging the page limitations for the Motion for Leave to 35
9 pages (the "Court's Order" – ECF No. 648);

10 WHEREAS, on October 19, 2023, Plaintiffs filed their Motion for Leave, which was 35-
11 pages in length;

12 WHEREAS, in their Motion for Leave, Plaintiffs sought leave to request certification of
13 eight (8) different classes and filed approximately 600 exhibits and 23 declarations in support
14 thereof;

15 WHEREAS, Defendants believe that, in light of the Court finding good cause and granting
16 Plaintiffs' Administrative Motion as well as in light of the size and scope of the Motion for Leave,
17 good cause exists for permitting Defendants to exceed the 25-page limit of Local Rule 7-2 for
18 Defendants' anticipated opposition to the Motion for Leave and permitting Defendants to file an
19 opposition not to exceed 35 pages;

20 WHEREAS, Plaintiffs believe that, for the same reasons, good cause exists for permitting
21 Plaintiffs to exceed the 15-page limit of Local Rule 7-3 and permitting Plaintiffs to file a reply in
22 support of the Motion for Leave not to exceed 20 pages;

23 WHEREAS, the parties have conferred, and Plaintiffs do not oppose Defendants' request
24 for a corresponding enlargement of the page limitations for Defendants' anticipated opposition to
25 the Motion for Leave and Defendants do not oppose Plaintiffs' request for an enlargement of the
26

1 page limitations for Plaintiffs' anticipated reply in support of the Motion for Leave, such that the
2 parties now hereby agree and stipulate as follows.

3 THEREFORE, IT IS HEREBY STIPULATED, subject to the approval of the Court, that:

- 4 1. Good cause exists for enlarging the page limitations of Local Rule 7-2 and 7-3 for
5 Defendants' Opposition to Plaintiffs' Motion for Leave to File Motion for Certification
6 of Subclasses and Plaintiffs' Reply in Support of their Motion for Leave to File Motion
7 for Certification of Subclasses for the reasons stated herein.
- 8 2. The page limitation for Defendants' Opposition to Plaintiffs' Motion for Leave to File
9 Motion for Certification of Subclasses is enlarged to not more than thirty-five (35)
10 pages in length.
- 11 3. The page limitation for Plaintiffs' Reply in Support of Plaintiffs' Motion for Leave to
12 File Motion for Certification of Subclasses is enlarged to not more than twenty (20)
13 pages in length.

14 IT IS SO STIPULATED.

15
16
17 DATED: October 27, 2023

MOORE & LEE, LLP

18 /s/ Erica Rutner
19 _____

20 Erica Rutner
21 Attorneys for Defendants
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1 DATED: October 27, 2023

SCHNEIDER WALLACE COTTRELL
KONECKY LLP

2
3 /s/ Guy B. Wallace

4 _____
5 Guy B. Wallace
6 Attorneys for Plaintiffs and the Proposed
7 Classes

8 **ATTORNEY ATTESTATION**

9 Pursuant to Local Rule 5-1(i)(3), I attest that all other signatures listed, in whose behalf this
10 filing is submitted, concur in the filing's content and have authorized the filing.

11 /s/ Erica Rutner

12 Erica Rutner

13
14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on October 27, 2023, I electronically filed the foregoing document
16 with the Clerk of the Court using the Court's CM/ECF system, which will send a notice of
17 electronic filing to all CM/ECF participants.

18
19 /s/ Erica Rutner

20 Erica Rutner
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ORDER

Pursuant to Stipulation, and for good cause shown, the parties' Stipulation is GRANTED.

Dated: 10/30/2023



HON. HAYWOOD S. GILLIAM, JR.
United States District Judge